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3 **UNITED STATES DISTRICT COURT W.D. OF WASHINGTON AT TACOMA**
4

5 **UNITED STATES OF AMERICA,**

6 **Plaintiff,**

7 **v.**

8 **BARRY THOMAS McGARVEY,**

9 **Defendant.**
10

CR 05-5346 FDB

**INITIAL ORDER RE: ALLEGATIONS
OF VIOLATION OF CONDITIONS
OF SUPERVISION BY UNITED
STATES PROBATION OFFICE**

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12 **THIS MATTER comes on for hearing on the Petition of the United States Probation Office alleging
that the defendant has violated the conditions of supervision.**

13 **The plaintiff appears through Special/Assistant United States Attorney, MARK PEREZ;**
14 **The defendant appears personally and represented by counsel, LINDA SULLIVAN for RON NESS;**

15 **The Court having advised the defendant of the allegations in the Petition(s) filed by the U.S. Probation**
16 **Office; the defendant having been advised of the maximum potential sanction if the allegation(s) is/are**
substantiated; and the court finding probable cause with regard to the alleged violation(s);

17 **The matter is scheduled for hearing before the Honorable FRANKLIN D. BURGESS.**

18 **Date: MARCH 12, 2009**

19 **Time: 10:00 P.M.**

20 **() Defendant is released pending the above scheduled hearing.**

21 **(X) Defendant is ordered detained for failing to show that he/she will not flee or pose a danger to any**
22 **other person or the community pursuant to CrR 32.1(a)(1), and CrR 46(c), to be delivered as ordered**
23 **by the court for further proceedings.**

24 **The clerks shall direct copies of this order to counsel for the United States, to counsel for the defendant,**
25 **the United States Marshal and to the United States Probation Office and/or Pretrial Services Office.**

26 **March 3, 2009.**

27 **/s/ J. Kelley Arnold**
28 **J. Kelley Arnold, U.S. Magistrate Judge**